

IN THE CIRCUIT COURT
OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

CASE NO.: 2018-018704-CA-01

DIVISION: CA15

JUDGE: Hon. Javier Enriquez

DEUTSCHE BANK NATIONAL TRUST COMPANY,
Plaintiff,

v.

MARIO MIRABAL,
Defendant.

_____ /

DEFENDANT'S NOTICE OF FEDERAL CONFLICT, PRESERVATION
OF JURISDICTIONAL OBJECTION, AND LIMITED CONDITIONAL
OBJECTION TO CONTINUED PROSECUTION BY FEDERALLY-
NAMED PARTIES AND THEIR COUNSEL

COMES NOW the Defendant, Mario Mirabal, pro se, and respectfully files
this Notice to formally advise the Court of ongoing federal proceedings that
directly overlap with the issues and parties involved in the above-captioned

matter. Defendant does not withdraw any pending motions, including the Rule 1.540(d) Motion for Relief from Void Judgment or the Motion to Strike KP Investments Miami, LLC, but submits this filing to clarify the jurisdictional limits and constitutional posture now in effect.

1. PENDING MOTIONS AND THIS COURT’S THRESHOLD DUTY

Defendant respectfully maintains that this Court retains a threshold obligation to rule on the pending Rule 1.540(d) Motion and the Motion to Strike KP Investments, both of which challenge the enforceability of the underlying foreclosure judgment that Deutsche Bank National Trust Company attempted to rely upon in this case.

These are dispositive threshold motions, and any further activity in this proceeding must be stayed pending their full and proper adjudication.

2. ACTIVE FEDERAL JURISDICTION AND NAMED DEFENDANTS

The subject matter and parties involved in this case are simultaneously the subject of active federal litigation in the United States District Court for the Southern District of New York:

Mirabal v. Deutsche Bank National Trust Company et al., Case No. 1:25-cv-07423-JPC-SN (collateral challenge to void judgment);

Mirabal v. KP Investments Miami, LLC et al., Case No. 1:25-cv-07418-LJL (§ 1983 civil rights claims);

Mirabal v. Deutsche Bank and KP Investments et al., Case No. 1:25-cv-07419-VEC (RICO claims).

All opposing parties and their counsel in the present matter are named defendants in those federal actions. Service of process is active via the U.S. Marshals Service, and multiple constitutional claims are pending against the same parties currently seeking to prosecute this case.

3. LIMITED OBJECTION TO FURTHER PROCEEDINGS

While Defendant does not object to this Court issuing rulings on the above-described threshold motions, he formally and expressly objects to any further adjudication, litigation scheduling, evidentiary hearings, or enforcement proceedings initiated by Deutsche Bank, KP Investments, or their attorneys, while they are actively under federal judicial review and subject to potential injunctive relief.

Any continuation of proceedings under these circumstances would violate the Supremacy Clause, risk interference with federal jurisdiction, and perpetuate the retaliatory litigation conduct already under constitutional review.

4. PRESERVATION OF RIGHTS AND NON-WAIVER

Defendant expressly preserves all federal rights and protections under the Constitution, including but not limited to the Supremacy Clause, Due Process, Equal Protection, and all whistleblower protections arising under

ongoing sealed and unsealed federal proceedings. No filing, motion, or appearance by Defendant shall be construed as consent to state jurisdiction or waiver of federal supremacy.

In light of these conflicts, Defendant also objects to any attempt by this Court or opposing counsel to consolidate, reset, or schedule hearings on motions that extend beyond the pending threshold Rule 1.540(d) and Motion to Strike. Any such activity would constitute de facto adjudication of issues that are currently subject to federal jurisdiction and would further entrench the due process violations already at issue in the SDNY proceedings. Defendant does not waive the right to seek emergency relief in federal court should this Court proceed beyond its limited jurisdictional threshold duty.

Respectfully submitted,

/s/ Mario Mirabal

Mario Mirabal

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October 6, 2025